

REMARKS

Claims 1-27 remain pending in the application.

The Applicant respectfully requests the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1-27 over Chung and Well Known Prior Art

Claims 1-5, 10-15 and 17-23 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,706,282 to Chung ("Chung"), with claims 6-9, 16 and 24-27 rejected under 35 USC 103(a) as allegedly being obvious over Chung in view of 'well known prior art'. The Applicant respectfully traverses the rejection.

Claims 1-18 recite a base unit of a digital cordless telephone system comprising a telephone line interface.

The Examiner CONTINUES to allege Chung's cellular telephone equates to the claimed cordless telephone with a cellular base station allegedly equating to Applicant's claimed base unit (See Office Action, page 2). To further distinguish Chung's cellular telephone from Applicant's claimed cordless telephone, Applicant's claimed cordless telephone is amended herein to further comprise a telephone line interface. A cellular base station lacks a telephone line interface.

Moreover, a cellular telephone is **NOT** paired with a cellular base station. Cellular base stations are designed to service whatever cellular telephones enter their area of service. Chung fails to disclose a remote handset that is paired with a base unit, as recited by claims 1-18.

Finally, the broadest reasonable interpretation cannot be inconsistent with the specification, which illustrates the claimed digital cordless telephones as being popular consumer devices which allow a user in a home or office the freedom to stray hundreds of feet from a base unit. A cellular telephone would be in all practically useless if limited to being within hundreds of feet from a cellular base station (see, e.g., Applicants page 1, lines 11-13).

Hence, “claims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their ‘broadest reasonable interpretation.’” MPEP § 2111.01 at 2100-37 (Rev. 1, Feb. 2000) (quoting In re Marosi, 218 USPQ 289, 292 (Fed. Cir. 1983)(emphasis in original)).

Moreover, claims 1-18 recite a digital cordless telephone relying on different encoding schemes for opposite transmission directions.

The Examiner **ACKNOWLEDGES** that Chung **FAILS** to disclose different types of coding schemes (See Office Action, page 2). However, the Examiner alleges that “such schemes are known in the art as is well known and admitted in the specification of the present invention.” (See Office Action, page 2)

Thus, Examiner **ACKNOWLEDGES** that Chung **FAILS** to disclose different types of coding schemes. Hence, the rejection **MUST** be withdrawn because it fails to demonstrate that the applied reference discloses each and every element of the claim. See MPEP 2131. “The identical invention must be shown in as complete detail as is contained in the ... claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). “Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture.” Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff’d, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Moreover, Applicant's Background of Related Art discloses that codecs can employ different coding schemes. However, the Applicant's Background of the Related Art fails to disclose or suggest a digital cordless telephone relying on different encoding schemes for opposite transmission directions, as recited by claims 1-18.

If the Examiner continues to allege that a digital cordless telephone relying on different encoding schemes for opposite transmission directions is well known prior art. The Examiner is respectfully requested to provide **SUPPORT** for such an allegation.

Claims 19-27 recite different encoding schemes for **simultaneous** use in opposite transmission directions.

The Examiner alleges that “such schemes are known in the art as is well known and admitted in the specification of the present invention.” (See Office Action, page 2). As discussed above, Applicant’s Background of Related Art discloses that codecs can employ different coding schemes. However, the Applicant’s Background of the Related Art fails to disclose or suggest different encoding schemes for simultaneous use in opposite transmission directions, as recited by claims 19-27.

Moreover, if the Examiner continues to allege that different encoding schemes for simultaneous use in opposite transmission directions is well known prior art, the Examiner is respectfully requested to provide **SUPPORT** for such allegations.

For at least all the above reasons, claims 1-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC
2000 M Street, NW 7th Floor
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336
WHB/df